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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,846	07/31/2003	Marc J. Hadley	06502.0564	1949

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SUN MICROSYSTEMS/FINNEGAN, HENDERSON LLP
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WASHINGTON, DC 20001-4413

EXAMINER

BAYARD, DJENANE M

ART UNIT	PAPER NUMBER
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2141

MAIL DATE	DELIVERY MODE
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07/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/630,846	Applicant(s) HADLEY, MARC J.	
	Examiner Djenane M. Bayard	Art Unit 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-8, 10- 12, 14-16, 18- 22, 24-25, 27- 29, 31-33, 35-39, 41-42, 44-46, 48-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims pending in the application are 1-5, 7-8, 10-12, 14-16, 18-22, 24-25, 27-29, 31-33, 35-39, 41-42, 44-46, 48-50.

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DETAILED ACTION

1. This is in response to amendment filed on 4-09/07 in which claims 1-5, 7-8, 10- 12, 14-16, 18- 22, 24-25, 27- 29, 31-33, 35-39, 41-42, 44-46, 48-50 are pending.

Response to Arguments

2. Applicant's arguments have been fully considered but they are not persuasive.

Applicant's argues that neither Kimoto nor Barber teaches "communicating an element in an ASN.1 PER standard format. The Examiner concedes in the previous Office action mailed on 1/08/07 that The ASN.1 PER Format is a well known format. As per Applicant Specification, "ASN.1, an international standard for classifying data structure, may be used for communicating over a network. Within ASN.1, there are 27 data bytes type with tag values starting with 1" (See Background Information)

Furthermore, Applicant argues that Barber in view of Kimoto fails to teach wherein the "creating a unique identifier, the unique identifier specifying the format of the data element and identifying, using recursion, whether the data element references itself". However, barber in view of Kimoto clearly teaches wherein the "unique software identifier is inserted into a meta-data (See page 9). Furthermore, Barber teaches wherein the UID software application generates UID 31 based on the single piece of source code formed by concatenating software component sour codes 28 and 29. UID is then inserted in a meta-data structure associated with software component 27 (See pages 21 and 22).

Claim Rejections - 35 USC § 103

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 7-8, 10- 12, 14-16, 18- 22, 24-25, 27- 29, 31-33, 35-39, 41-42, 44-46, 48-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 02/27486 to Barber in view of U.S. Patent No. 6, 792577 to Kimoto.

a. As per claims 1, 18 and 35, Barber teaches a method for generating unique identifier for software component. Furthermore, Barber teaches a method for communicating a data element in an ASN.1 PER standard format (See Applicant's background) in a way that does not identify the format of the element, comprising: creating a unique identifier, the unique identifier specifying the format of the data element and identifying, using recursion, whether the data element references itself; (See page 12, lines 30-35, *generates a unique identifier that serves as a label associated with a software component*, See page 9, lines 20-31 and page 21-22); However, Barber fails to teach inserting the unique identifier as part of the data element; and transmitting the data element and unique identifier.

Kimoto teaches inserting the unique identifier as part of the data element (See col. 4, lines 20-23, *adding a style sheet identifier which is unique to a style sheet which defines the expression form of the distribution data content to the distribution data content*); and transmitting the data element and unique identifier (See col. 4, lines 23-24, *distributing the distribution data content*).

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It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Kimoto in the claimed invention of Barber in order to a superior style sheet management technology which is capable of appropriately managing style sheets which define the expression form of digital data in a computer language format (See col. 3, lines 60-67).

b. As per claims 2, 19 and 36, Barber in view of Kimoto teaches the claimed invention as described above. Furthermore, Barber teaches wherein creating the unique identifier further comprises producing a canonical representation (See page 16, lines 1-14).

c. As per claims 3, 20 and 37, Barber in view of Kimoto teaches the claimed invention as described above. Furthermore, Barber teaches wherein creating the unique identifier further comprises hashing the canonical representation to produce the unique identifier (See page 15, lines 16-19).

d. As per claims 4, 21 and 38, Barber in view of Kimoto teaches the claimed invention as described above. Furthermore, Barber teaches wherein creating the unique identifier further includes creating the unique identifier with a fixed size (See page 5, lines 31-32).

e. As per claims 5, 22 and 39, Barber in view of Kimoto teaches the claimed invention as described above. Furthermore, Barber teaches wherein creating the unique identifier further includes creating the unique identifier with a fixed size of sixteen bytes (See page 5, line 35).

f. As per claims 6, 23 and 40, Barber in view of Kimoto teaches the claimed invention as described above. Furthermore, Barber teaches wherein creating the unique identifier further includes creating the unique identifier with an indication of a recursion (See page 9, lines 21-31)

g. As per claims 7, 24 and 41, Barber in view of Kimoto teaches the claimed invention as described above. Furthermore, Barber teaches wherein creating the unique identifier further includes determining whether the expected form includes a structure or a type of data in the data element (See page 12, line 35)

h. As per claims 8, 25 and 42, Barber in view of Kimoto teaches the claimed invention as described above. However, Barber fails to teach wherein transmitting the data element includes transmitting the data element through the Internet.

Kimoto teaches transmitting the data element includes transmitting the data element through the Internet (See col. 6, liners 49-51).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Kimoto in the claimed invention of Barber in order to a superior style sheet management technology which is capable of appropriately managing style sheets which define the expression form of digital data in a computer language format (See col. 3, lines 60-67).

i. As per claims 9, 26 and 43, Barber in view of Kimoto teaches the claimed invention as

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described above. Furthermore, it would have been obvious to one with ordinary skill in the art to transmit the data element in the ASN.1 PER standard format since this standard was well known in the art at the time of the invention.

j. As per claim 10, 27 and 44, Barber teaches creating a unique identifier, the unique identifier specifying the format of the data element and identifying, using recursion, whether the data element references itself; (See page 12, lines 30-35, *generates a unique identifier that serves as a label associated with a software component*, See page 9, lines 20-31 and page 21-22). However, Barber fails to teach receiving the data element and extracting a unique identifier that specifies the format of the data element.

Kimoto teaches method for communicating a data element in a way that does not identify the format of the element, comprising: receiving the data element (See col. 15, lines 38-43); extracting a unique identifier that specifies the format of the data element (See col. 16, lines 10-12, *style Id is fetched from USESTYLE tag in the XML document*); and processing the data using the unique identifier (See col. 16, lines 13-28).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Kimoto in the claimed invention of Barber in order to a superior style sheet management technology which is capable of appropriately managing style sheets which define the expression

k. As per claims 16, 33 and 50, Barber in view of Kimoto teaches the claimed invention as described above. However, Barber fails to teach wherein processing the unique identifier

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includes: creating a second identifier based on an expected format of the data element; and comparing the unique identifier and the second identifier

Kimoto fails to teach wherein processing the unique identifier includes: creating a second identifier based on an expected format of the data element; and comparing the unique identifier and the second identifier (See col. 16, lines 10-34).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Kimoto in the claimed invention of Barber in order to a superior style sheet management technology which is capable of appropriately managing style sheets which define the expression form of digital data in a computer language format (See col. 3, lines 60-67).

k. As per claims 11, 28 and 45, Barber in view of Kimoto teaches the claimed invention as described above. Furthermore, Barber et al teaches wherein the unique identifier is of a fixed size (See page 5, lines 31-32).

l. As per claims 12, 29 and 46, Barber in view of Kimoto teaches the claimed invention as described above. Furthermore, Barber teaches wherein the unique identifier has a fixed size of sixteen bytes (See 5, lines 31-35).

m. As per claims 13, 30 and 47, Barber in view of Kimoto teaches the claimed invention as described above. Furthermore, Barber teaches the unique identifier indicating a recursion (See page, lines 21-31).

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n. As per claims 14, 31 and 48, Barber in view of Kimoto teaches the claimed invention as described above. Furthermore, Barber teaches whether the expected form comprises a structure (See page 12, lines 30- 35).

o. As per claims 15, 32 and 49, Barber in view of Kimoto teaches the claimed invention as described above. Furthermore, Barber teaches whether the expected form comprises a type of data (See page 12, lines 30-35).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Djenane M. Bayard whose telephone number is (571) 272-3878.


The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Djenane Bayard

Patent Examiner


JASON CARDONE
SUPERVISORY PATENT EXAMINER